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Attorneys for Creditor
Loan Shark Holdings, LLC

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

In re:

EVANDER FRANK KANE,

Debtor.

Case No. 21-50028 SLJ

Chapter 7

**NOTICE OF JOINDER AND
JOINDER BY CREDITOR LONE
SHARK HOLDINGS, LLC IN THE
MOTION BY CREDITOR ZIONS
BANCORPORATION TO
CONVERT THE CASE TO
CHAPTER 11 AND TO APPOINT
CHAPTER 11 TRUSTEE**

DATE: 3/30/21

TIME: 11:00 a.m.

Place: Courtroom 9
San Jose, California

Hon. Stephen L. Johnson

Comes now Creditor Lone Shark Holdings, LLC (“Lone Shark”) and hereby submits this Notice of Joinder and Joinder to Creditor Zions Bancorporation’s *Motion to Convert the Case to Chapter 11 and to Appoint a Chapter 11 Trustee* (the “Motion”).

Lone Shark respectfully states as follows:

I. INTRODUCTION

1. Lone Shark is a creditor in the above-styled case with a claim of no less than \$715,000.00.

2. The debt owed to Lone Shark is the result of a loan made by Lone Shark to the Debtor. The purpose of the loan was to provide the Debtor with funds to enable him to make certain investments.

3. On March 4, 2021, Zions Bancorporation (“Zions”) filed the Motion, seeking to convert this case to Chapter 11 and to have the Court appoint a Chapter 11 Trustee in the converted case. (Doc. No. 33).

4. Lone Shark joins in the Motion as to the relief requested.

5. Lone Shark agrees that the Debtor has the ability to pay his creditors in a Chapter 11 case and that the creditors would receive a much more substantial distribution if this case was converted to a Chapter 11 case.

6. Additionally, Lone Shark agrees that cause exist under 11. U.S.C. §1104 to appoint a Chapter 11 trustee, should this case be converted to a Chapter 11. Lone Shark asserts that appointing a trustee is in the best interest of the creditors.

7. While Lone Shark supports the relief sought in Zions’ Motion, Lone Shark takes issue with how its loan is described in the Motion. The Motion describes the loan as “another form of gambling.” Furthermore, the Motion states that the Debtor “dealt with a company literally named Lone Shark Holdings, LLC”, as if this somehow demonstrates that Lone Shark’s loan was obviously nefarious¹.

¹ Kane plays for the San Jose Sharks so it is not difficult to ascertain the origin of Lone Shark’s name.

1 8. Lone Shark's loan to the Debtor was to be used in an investment in tax
2 credits that is estimated to result in a tax refund of \$1,800,000.00 to the Debtor. An
3 investment in tax credits can hardly be characterized as gambling.

4
5 **II. CONCLUSION**

6 WHEREFORE, Lone Shark respectfully requests that the Court enter an order
7 converting this case to a Chapter 11 case and appointing a Chapter 11 trustee.

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9 DATED: March 18, 2021

REED SMITH LLP

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11 By /s/ Christopher O. Rivas

12 Christopher O. Rivas

13 Attorneys for Creditor

14 Loan Shark Holdings, LLC
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